

FILED

MAY 23 2006

AO 133 (Rev. 9/89) Bill of Costs

UNITED STATES DISTRICT COURT

WESTERN

District of

SÁN ANTONIO DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY TEXAS

DEPUTY CLERK

CARLOS PACHECO, Plaintiff,

V.

NORMAN Y. MINETA, Secy, FAA, Defendant

Case Number: SA-02-CA-1087-WRF

Judgment having been entered in the above entitled action on 9/14/2004 against Plaintiff, Carlos Pacheco,
 the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$
Fees for service of summons and subpoena
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	2,380.20
Fees and disbursements for printing
Fees for witnesses (itemize on reverse side)	0.00
Fees for exemplification and copies of papers necessarily obtained for use in the case (Attachment 2)	450.25
Docket fees under 28 U.S.C. 1923
Costs as shown on Mandate of Court of Appeals
Compensation of court-appointed experts
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828
Other costs (please itemize)
TOTAL \$ 2,830.45	

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Regina Bacon Criswell, PO Box 1399, Helotes TX

Signature of Attorney: Robert Shaw-MeadowName of Attorney: ROBERT SHAW-MEADOW, Assistant United States AttorneyFor: NORMAN Y. MINETA, Secretary of Transportation, FAA, DefendantDate: 5/23/06

Name of Claiming Party

Costs are taxed in the amount of _____

and included in the judgment.

By:

Deputy Clerk

Clerk of Court

Date

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

“Sec. 1924. Verification of bill of costs.”

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

Rule 58 (In Part)

“Entry of the judgment shall not be delayed for the taxing of costs.”

**ATTACHMENT 1 – FEES OF THE COURT REPORTER FOR ALL OR
ANY PART OF THE TRANSCRIPT NECESSARILY OBTAINED FOR
USE IN THE CASE**

1	Oral Deposition of Plaintiff, Carlos Pacheco (invoice attached)	\$681.20
2	Copy of February 11, 2004 Motion Hearing (invoice attached)	132.00
3	Oral Deposition of Keith Fairchild (invoice attached)	494.50
4	Transcript of <u>Boyd v. Mineta</u> trial (invoice attached)	1072.50
	TOTAL ATTACHMENT 1	\$2380.20

**ATTACHMENT 2 – FEES FOR EXEMPLIFICATION AND COPIES OF
PAPERS NECESSARILY OBTAINED FOR USE IN THE CASE**

1	Plaintiff's Original Complaint -- consisting of 5 pages, 1 copy @ \$.25 per page	1.25
2	Plaintiff's First Amended Original Complaint -- consisting of 7 pages, 1 copy @ \$.25 per page	1.75
3	Defendant's Original Answer to Plaintiff's First Amended Complaint -- consisting of 6 pages, 1 copy @ \$.25 per page	1.50
4	Defendant Warren Meehan's Motion to Require Plaintiff to File Rule 7(a) Reply to Qualified Immunity Defense -- consisting of 13 pages, 1 copy @ \$.25 per page	3.25
5	Defendant Mineta's Motion to Dismiss for Insufficiency of Service -- consisting of 15 pages, 1 copy @ \$.25 per page w/proposed Order	3.75
6	Plaintiff's Partially Opposed Motion for Extension of Time to File Response To Defendant Mineta's Motion to Dismiss, and to Defendant Meehan's Rule 7 (a) Motion ¹ -- consisting of 9 pages, 1 copy @ \$.25 per page	2.25
7	Defendant Warren Meehan's Response to Plaintiff's Motion for Extension of Time to File Response to Defendant's Rule 7 (a) Motion -- consisting of 5 pages, 1 copy @ \$.25 per page	1.25
8	Plaintiff's Reply to Defendant's Rule 7(a) Motion -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
9	Plaintiff's Response to Defendant's Motion to Dismiss -- consisting of 11 pages, 1 copy @ \$.25 per page	2.75
10	Defendant Mineta's Reply in Support of Motion to Dismiss For Insufficiency of Service -- consisting of 9 pages, 1 copy @ \$.25 per page	2.25
11	Defendant Warren Meehan's Motion to Dismiss -- consisting of 33 pages, 1 copy @ \$.25 per page	8.25
12	Defendant Meehan's Appendix of Exhibits in Support of Motion to Dismiss - -- consisting of 88 pages, 1 copy @ \$.25 per page	22.00

¹ Unless otherwise noted, one copy of pleadings/responses was provided to agency counsel.

13	Defendant Warren Meehan's Motion for Leave to Submit Motion to Dismiss in Excess of Twenty Pages -- consisting of 4 pages, 1 copy @ \$.25 per page	1.00
14	Defendant Mineta's Motion for Entry of Protective Order -- consisting of 5 pages, 1 copy @ \$.25 per page	1.25
15	Defendant Mineta's Answer to Plaintiff's Second Amended Complaint -- consisting of 5 pages, 1 copy @ \$.25 per page	1.25
16	Defendant Mineta's Advisory to the Court Regarding Motion for Entry of Protective Order -- consisting of 4 pages, 1 copy @ \$.25 per page	1.00
17	Defendant Meehan's Advisory to the Court Regarding Morantes v. Slater Case -- consisting of 3 pages, 1 copy @ \$.25 per page	.75
18	P's Response in Opposition to D Meehan's Motion to Dismiss -- consisting of 8 pages, 1 copy @ \$.25 per page	2.00
19	Plaintiff's Third Amended Original Complaint and Proposed Order -- consisting of 6 pages, 1 copy @ \$.25 per page	1.50
20	Defendant Warren Meehan's Motion for Leave to Submit Reply to Plaintiff's Response to Defendant's Motion to Dismiss in Excess of Five Pages -- consisting of 4 pages, 1 copy @ \$.25 per page	1.00
21	Defendant Warren Meehan's Reply Brief in Support of Motion to Dismiss -- consisting of 16 pages, 1 copy @ \$.25 per page	4.00
22	Scheduling Order -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
23	Defendant Mineta's First Set of Interrogatories -- consisting of 8 pages, 1 copy @ \$.25 per page	2.00
24	Defendant Mineta's First Request for Production of Documents and Things -- consisting of 12 pages, 1 copy @ \$.25 per page	3.00
25	Order Denying P's Motion for Leave to File Third Amended Original Complaint -- consisting of 6 pages, 1 copy @ \$.25 per page	1.50
26	Order Granting D's Motion to Dismiss with Prejudice all Pending Claims Against Meehan -- consisting of 2 pages, 1 copy @ \$.25 per page	.50

27	Notice of Oral and Video Deposition of Carlos Pacheco -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
28	D's Alternative Dispute Resolution Report -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
29	Amended Notice of Oral and Video Deposition of Carlos Pacheco -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
30	2 nd Amended Notice of Oral and Video Deposition of Carlos Pacheco -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
31	P's Interrogatories to D's Norman Mineta, Secretary of the US Department of Transportation -- consisting of 7 pages, 1 copy @ \$.25 per page	1.75
32	P's Request for Production of Documents to D Norman Mineta, Secretary of Transportation, Federal Aviation Administration -- consisting of 8 pages, 1 copy @ \$.25 per page	2.00
33	Plaintiff's Initial Disclosures -- consisting of 4 pages, 1 copy @ \$.25 per page	1.00
34	Plaintiff's Objections and Supplemental Response to Defendant's Requests for Production of Documents -- consisting of 5 pages, 1 copy @ \$.25 per page	1.25
35	Defendant's Rule 26(a)(1) Initial Disclosures -- consisting of 5 pages, 1 copy @ \$.25 per page	1.25
36	Order - Extending Scheduling Order -- consisting of 1 page, 1 copy @ \$.25 per page	.25
37	Notice of Oral Deposition of Dr. Keith Fairchild -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
38	D's Answers and Objections to P's First Set of Interrogatories -- consisting of 17 pages, 1 copy @ \$.25 per page	4.25
39	D's Responses and Objections to P's First Set of Request for Production -- consisting of 11 pages, 1 copy @ \$.25 per page	2.75
40	Amended Notice of Oral Deposition and Subpoena Duces Tecum of Dr. Keith Fairchild -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
41	Notice of Oral Deposition and Subpoena Duces Tecum of Professor Rudy Guerra -- consisting of 3 pages, 1 copy @ \$.25 per page	.75

42	Defendant's Unopposed Motion to Extend Time to Respond to Plaintiff's Motion to Strike Objections and to Compel Answers; and Motion to Reschedule Court Hearing of January 21, 2004; and Proposed Order -- consisting of 5 pages, 1 copy @ \$.25 per page	1.25
43	Defendant's Response to Plaintiff's Motion to Extend Deadline for Designated Expert to Prepare Expert Report -- consisting of 3 pages, 1 copy @ \$.25 per page	.75
44	Order Granting D's Motion for EOT and Rescheduling of Hearing -- consisting of 1 pages, 1 copy @ \$.25 per page	.25
45	D's Unopposed Motion for Leave to Submit Response Brief to P's Motion to Compel in Excess of Ten Pages -- consisting of 4 pages, 1 copy @ \$.25 per page	1.00
46	D's Response to P's Motion to Compel -- consisting of 21 pages, 1 copy @ \$.25 per page	5.25
47	Order Granting D's Unopposed Motion For Leave to Submit Response Brief to P's Motion to Compel in Excess of Ten Pages -- consisting of 1 pages, 1 copy @ \$.25 per page	.25
48	Order - Denying P's Motion to Extend Deadline for Expert Report; P's Motion to Strike Objections; and P's Motion to Compel -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
49	P's Objection to Order Denying P's Motion to Strike Objections and Motion to Compel Written Discovery -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
50	D's Motion for Extension of Time -- consisting of 4 pages, 1 copy @ \$.25 per page	1.00
51	D's Motion for Summary Judgment - Non-Selection -- consisting of 21 pages, 1 copy @ \$.25 per page	5.25
52	D's Appendix of Exhibits in Support of Motion for Summary Judgment- Non Selection -- consisting of 69 pages, 1 copy @ \$.25 per page	17.25
53	D's Motion to Dismiss Disparate Impact Claim, Or In The Alternative For Summary Judgment -- consisting of 20 pages, 1 copy @ \$.25 per page	5.00

54	Defendant's Reply Brief in Support of Motion for Summary Judgment on Intentional Discrimination Claim -- consisting of 13 pages, 1 copy @ \$.25 per page	3.25
55	Defendant's Reply Brief in Support of Motion To Dismiss Disparate Impact Claim -- consisting of 6 pages, 1 copy @ \$.25 per page	1.50
56	Order Resetting Motion for Summary Judgment-9/8/04 -- consisting of 1 page, 1 copy @ \$.25 per page	.25
57	D's Motion for New Trial and to Amend Judgment -- consisting of 7 pages, 1 copy @ \$.25 per page	1.75
58	P's Notice of Appeal -- consisting of 2 pages, 1 copy @ \$.25 per page	.50
59	Order Denying D's Motion for New trial and To Amend Judgment -- consisting of 1 page, 1 copy @ \$.25 per page	.25
60	D's Notice of Appeal -- consisting of 3 pages, 1 copy @ \$.25 per page	.75
61	Selection Files re Kline and Boyson selection -- consisting of 205 pages, 1 copy @ \$.25 per page	51.25
62	Documents from Mike Keyworth regarding Boyson selection -- consisting of 54 pages, 1 copy @ \$.25 per page	13.50
63	Documents regarding untimely admin duties complaint -- consisting of 17 pages, 1 copy @ \$.25 per page	4.25
64	Official Personnel File of Carlos Pacheco -- consisting of 336 pages, 1 copy @ \$.25 per page	84.00
65	Union Contract of the FAA -- consisting of 200 pages, 1 copy @ \$.25 per page	50.00
66	Interim Guidance on filling MSS positions -- consisting of 6 pages, 1 copy @ \$.25 per page	1.50
67	Documents Responsive to RFP -- consisting of 157 pages, 1 copy @ \$.25 per page	39.25
68	EEO Report of Investigation -- consisting of 124 pages, 1 copy @ \$.25 per page	31.00

69	Agency Legal File pertaining to EEO admin proceedings -- consisting of 109 pages, 1 copy @ \$.25 per page	27.25
70	Agency File pertaining to the suit filed in federal court -- consisting of 46 pages, 1 copy @ \$.25 per page	11.50
	TOTAL ATTACHMENT 2	\$406.25

FEDERAL COURT REPORTERS OF SAN ANTONIO, INC.

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 San Antonio, Texas 78216-4128
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MR. ROBERT SHAW-MEADOW
 U.S. ATTORNEY'S OFFICE - SA TX
 PYRAMID BUILDING, SUITE 600
 601 NORTHWEST LOOP 410
 SAN ANTONIO, TEXAS 78216

November 24, 2003

Invoice# BDH688

Balance: \$749.50

Re: CARLOS PACHECO V. NORMAN Y. MINETA, SECRETARY
 OF US DEPT. OF TRANS
 on 11/13/03 by BARBARA ANN DURAND-HOLLIS, CSR

Invoicing InformationCharge Description

ORIGINAL & CERTIFIED COPY:

DEPONENT:CARLOS PACHECO TAKEN ON:NOVEMBER 13, 2003

134 PGS @ \$4.25=..... \$569.50
 4 HOURS @ \$25.00=..... \$100.00
 39 EXHIBITS @ \$.30=..... \$11.70
 21 TABS @ \$.30=..... \$6.30
 WORD INDEX 11 PGS @ \$1.00=.... \$11.00
 TC=..... \$25.00
 ADMIN FEE=..... \$26.00

NO.SA-02-CA-1087-RF

THANK YOU, JENNIFER B. FLORES (HR)

I CERTIFY THAT SERVICES HAVE
 BEEN RECEIVED/RENDERED

Date: 11-24-03

Please Remit - - - > Total Due: \$749.50

Due Upon Receipt / DELINQUENT in 30 days
 Please Reference Invoice Number for Proper Credit

*JD Budget
 11/25/03*

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

INVOICE NO: 20040081

MAKE CHECKS PAYABLE TO:

Robert Shaw-Meadow
Assistant United States Attorney
United States Attorney's Office
601 N. W. Loop 410, Suite 600
San Antonio, TX 78216-5597

Phone: (210) 384-7090
FAX: (210) 384-7031

DENVER B. RODEN, RMR
United States Court Reporter
655 E. Durango Blvd.
San Antonio, TX 78206-1100

Phone: (210) 271-0660
FAX:
Tax ID: 463-19-5403
drodenrnr@sbccglobal.net

CRIMINAL CIVIL

DATE ORDERED:

08-11-2004

DATE DELIVERED:

08-31-2004

Case Style: SA-02-CA-1087, Carlos Pacheco v Norman Y. Mineta

Hearing of 02-11-04

CATEGORY	ORIGINAL			1ST COPY			2ND COPY			TOTAL CHARGES
	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	
Ordinary	40	3.30	132.00							132.00
Expedited										
Daily										
Hourly										
Realtime										
Misc. Desc.	I CERTIFY THAT SERVICES HAVE BEEN RECEIVED & RENDERED DATE 9/7/04 SIGNATURE X PLEASE CHECK APPROPRIATE BLOCK: Partial Payment X Final Payment X								MISC. CHARGES:	
									TOTAL:	132.00
									LESS DISCOUNT FOR LATE DELIVERY:	
									TAX (If Applicable):	
									LESS AMOUNT OF DEPOSIT:	
									TOTAL REFUND:	
									TOTAL DUE:	\$132.00

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within seven (7) calendar days, payment would be at the ordinary delivery rate.

CERTIFICATION

I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE

DATE

08-11-2004

(All previous editions of this form are cancelled and should be destroyed)

PART 1 (ORIGINAL) - TO PARTY
PART 2 (YELLOW) - TO PARTY FOR RETURN WITH PAYMENT
PART 3 (PINK) - COURT REPORTER
PART 4 (BLUE) - COURT REPORTER SUPERVISOR

2004
9/7/04

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MR. ROBERT SHAW-MEADOW
U.S. ATTORNEY'S OFFICE - SA TX
PYRAMID BUILDING, SUITE 600
601 NORTHWEST LOOP 410
SAN ANTONIO, TEXAS 78216

January 29, 2004

Invoice# EP1035

Balance: \$542.60

Re: CARLOS PACHECO VS. NORMAN Y. MINETA, ET AL
on 01/20/04 by ELENA MALONEY, INC.

Invoicing Information

Charge Description

ORIGINAL & CERTIFIED COPY:

DEPONENT: KEITH W. FAIRCHILD TAKEN ON: 01/20/04
96 PGS @ \$4.25=.....\$408.00
2.5 HOURS @ \$25.00=.....\$62.50
80 EXHIBITS @ \$.30=.....\$24.00
27 TABS @ \$.30=.....\$8.10
WORD INDEX 9 PGS @ \$15.00=.....\$15.00
TC=.....\$25.00

NO.SA-02-CA-1087-RF

THANK YOU, JENNIFER B. FLORES (RB)

Please Remit - - - > Total Due: \$542.60

Due Upon Receipt / DELINQUENT in 30 days
Please Reference Invoice Number for Proper Credit

I CERTIFY THAT SERVICES
HAVE BEEN RECEIVED/ RENDERED

Robert Shaw-Meadow
SIGNATURE DATE 1/29/04

PLEASE CHECK APPROPRIATE BLOCK:

Partial Payment

Final Payment

Robert Shaw-Meadow
1/31/04

MOLLY CARTER
2718 WIND ROCK
CORPUS CHRISTI, TEXAS 78410
(361) 241-7850

June 5, 2003
Invoice No. 03-734

TO: MR. ROBERT SHAW-MEADOW
ASSISTANT UNITED STATES ATTORNEY
601 NW LOOP 410, SUITE 600
SAN ANTONIO, TEXAS 78216

RE: NO. CA-C-01-558; BOYD VS. MINETA

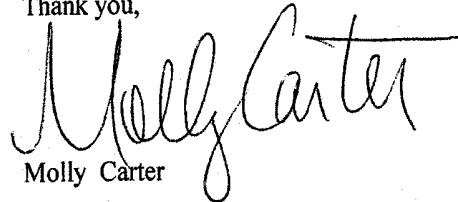
Transcript of Non-Jury Trial - Day 1 (11/25/02):
150 pages @ 3.30.....\$ 495.00

Transcript of Non-Jury Trial - Day 2 (11/26/02):
(excluding pages for testimony of Carlos Pacheco)
175 pages @ 3.30..... 577.50

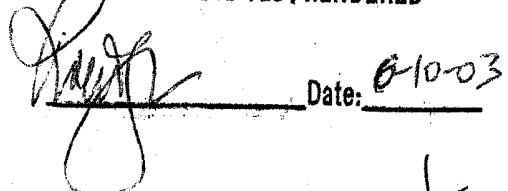
Testimony of Carlos Pacheco (completed on expedited basis):
10 pages @ 4.40..... 44.00

TOTAL AMOUNT DUE.....\$1,116.50

Thank you,


Molly Carter

I CERTIFY THAT SERVICES HAVE
BEEN RECEIVED/RENDERED


Date: 6/10/03


Job Budget
6/10/03